THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 15969 of 2007

Date:26-07-2007

Between:

N.Narender Rao **.. PETITIONER**

AND

The Zonal Officer, APIIC, Hyderabad and six others

.. RESPONDENTS

ORDER:

The petitioner seeksa writ of mandamus to declare the action of the respondents 1 to 4 in not taking any action on the representation of the petitioner dated 12.12.2006 seeking to stop illegal encroachment made by the respondents 6 and 7 and to protect the legally entitled property of the petitioner, as illegal and arbitrary.

It is the case of the petitioner that he was allotted plot Nos.1 and 2 admeasuring 290 square metres and 273.82 square metres and having purchased the same from the A.P.I.I.C.Ltd., Sanathnagar, Hyderabad through agreement of sale dated 21.11.1990 and after paying the full amount, the petitioner has became the absolute owner of the said plots 1 and 2.

While so, the petitioner was dispossessed from the said plots by the respondents 6 and 7 illegally trespassing into the said land and raising structures. Accordingly, the petitioner made a representation, dated 12.12.2006 before the Mandal Revenue Officer, Balanagar for manipulating the documents by the respondents 6 and 7 and illegally encroaching upon the land allotted in his favour by the A.P.I.I.C.Ltd.

Having regard to the facts of the case, I am of the opinion that the said disputed questions of facts cannot be decided in the writ petition and therefore, the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed with liberty to take appropriate steps before the Civil Court or before the competent authority. No costs.

V.ESWARAIAH, J.

Date:26.07.2007
CCM